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September 3, 2020

Via ECF

Hon. Analisa Torres
United States District Judge
500 Pearl Street, Room 15D
United States Courthouse
Southern District of New York
New York, NY 10007

RE: Joint Letter Motion Requesting Extension of Time, *Essar Steel Algoma, Inc. v. Southern Coal Sales Corporation*, Case No. 1:17-mc-00360-AT-RL

Dear Judge Torres:

Pursuant to Rule I(C) of Your Honor's Individual Practices in Civil Cases, Plaintiff Essar Steel Algoma, Inc. ("Algoma") and Defendants Nevada Holdings, Inc., f/k/a Southern Coal Sales Corporation; James C. Justice Companies, Inc.; James C. Justice Companies, LLC; Bluestone Industries, Inc.; Bluestone Coal Corporation; Bluestone Mineral, Inc., f/k/a Mechel Bluestone; Bluestone Energy Sales Corporation, A&G Coal Corporation, Tams Management Inc.; Encore Leasing LLC; Bluestone Resources Inc.; Justice Family Farms, LLC; and Southern Coal Corporation (collectively, "Southern Coal") jointly request a 14-day extension of the current September 8, 2020 deadlines for (1) either party to file an application to reopen the case if the settlement is not consummated, and (2) submission of the parties' settlement agreement to the Court, in accordance with Rule IV(C) of Your Honor's Individual Practices in Civil Cases, so that the Court may retain jurisdiction to enforce the settlement agreement.

In this Court's July 22, 2020 Order (Dkt. 179), those deadlines were set for 45 days from the date of the order, which would be September 5, 2020. Given the weekend and Labor Day holiday, the deadline is September 8, 2020. *See* Fed. R. Civ. P. 6(a)(1). The parties request that the deadlines be extended for 14 days, until September 22, 2020.

The parties have worked collaboratively to finalize their agreement but require additional time to finalize their settlement agreement, and more specifically a related agreement which is an essential component of that settlement agreement. The parties have been working diligently to finalize those agreements, have been negotiating in good faith, and are nearly complete.

Prior to this joint letter motion, neither party sought or obtained an extension of these deadlines.



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Thus, the parties respectfully request that the deadlines for (1) either party to file an application to reopen the case if the settlement is not consummated, and (2) submission of the parties' settlement agreement to the Court so that the Court may retain jurisdiction to enforce the settlement agreement, be extended until September 22, 2020.

Respectfully yours,

/s/ Kip T. Bollin

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/s/ Lee D. Schneider (per email consent [9/3/20])

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cc: All counsel of record (*via ecf*)